

The City Council Regular Session meeting was called to order at 7:00 P.M., by Mayor Jonathan Houck with Councilors Drexel, Harriman, Seymour and Nesbitt present along with City Attorney Landwehr, City Manager Coleman, City Clerk Davidson, Finance Director Hanson, Community Development Director Westbay, WSC Liaison Edwards, several interested citizens and the press. A Council quorum was present.

Consideration of Minutes:**Regular Session Meeting Minutes of November 8, 2011.**

Councilor Nesbitt moved and Councilor Seymour seconded the motion to approve the Regular Session Meeting minutes of November 8, 2011, as submitted.

Roll call vote, yes: Drexel, Harriman, Houck, Seymour, Nesbitt. So carried.

Roll call vote, no: None.

Pre-Scheduled Citizens:

Gunnison-Crested Butte Tourism Association Update – Executive Director Jane Chaney. Ms. Chaney introduced Candy Taylor, the new TA webmaster and technology marketing staff member. Ms. Chaney gave the 3rd quarter 2011 update. Items discussed included: the concept of the TA website being a marketing portal to other sites; Board of County Commissioners' recent concerns about the TA organizational structure and funding; makeup of the TA Board; relationship of the TA with the local Chambers of Commerce; the TA as the destination marketing organization; TA marketing partnerships with businesses; the TA focus on tourism-related visitors; and the tourism economic base in the Valley. Councilor Harriman asked if a business is not a Chamber Member can they be on the TA website. Ms. Chaney replied no. Councilor Seymour asked if a local motel collects the required TA Lodging Tax but they are not a Chamber Member, then the TA doesn't market that business. A short discussion ensued on the Economic Development Committee's website proposal. Ms. Chaney stated the TA website is solely for tourism-related marketing and doesn't cover re-location or business-focused issues. City Manager Coleman asked Ms. Chaney about partnerships with local events. Ms. Chaney highlighted the Gunnison DVD that was produced last summer with the assistance of the TA. This was a tremendous marketing tool. The City Manager reminded Council the City has included marketing funds in the 2012 budget for more City-related marketing that can be included on the TA website. The result will be a "library" of useable marketing information from the City. Council thanked Ms. Chaney and Ms. Taylor for their report.

Unfinished Business:**2012 Budget Items (not individually scheduled).****New Business:****Action to Authorize Mayor to Sign City's VanTuyl Ranch Annexation Petition.**

Action on VanTuyl Ranch Annexation Petition Waivers. These items were presented and discussed at the Work Session meeting on November 15, 2011.

Councilor Harriman moved and Councilor Nesbitt seconded the motion to authorize the Mayor to sign the City's VanTuyl Ranch Annexation Petition and to approve the following VanTuyl Ranch Annexation Petition Submission Waivers: the Pre-Annexation Agreement; the Ownership and Encumbrance Report; the Geotechnical Report; and the Annexation Application Filing Fee.

Roll call vote, yes: Harriman, Houck, Seymour, Nesbitt, Drexel. So carried.

Roll call vote, no: None.

Action on Bicycle Pedestrian Advisory Committee (BPAC) By-Laws Amendment.

This item was discussed at the Work Session on November 15, 2011. The primary change to the current, Council-approved By-Laws is the removal of names from the BPAC Board and Staff Members and replacing them with the represented organization or entities. Also, in Article 2, Section 1, the last sentence was added. Mayor Houck stated that the BPAC has no City funding requirements. The City Manager added that it is an advisory group to Council.

Councilor Harriman moved and Councilor Drexel seconded the motion to approve the amendment to the Bicycle Pedestrian Advisory Committee By-Laws as submitted.

Roll call vote, yes: Houck, Seymour, Nesbitt, Drexel, Harriman. So carried.

Roll call vote, no: None.

Action to Set Public Hearing on Chavolos Mexican Restaurant H&R Liquor License. City Clerk Davidson informed Council that Sofia Ortiz, owner of Chavolo's Mexican Restaurant was not in compliance with the conditions set by Council at the City Council meeting on Tuesday, October 11, 2011. That hearing allowed for the renewal of the Hotel & Restaurant Liquor License at that location if the Owner complied with the conditions set by Council. These conditions included the management and serving staff complete a TIPS training course conducted by the City of Gunnison Police Department prior to December 31, 2011; the licensee must operate its business in full compliance with the Colorado Liquor Code and the rules and regulations adopted in furtherance thereof; and the licensee must timely comply with the requirements of the City of Gunnison Sales Tax Code to timely file sales tax returns and remit collected sales tax to the City during the term of the license. The City Clerk informed Council the restaurant did not file their sales tax on time nor did they attend the scheduled TIPS training as they were scheduled to do. Clerk Davidson asked Council if they would like to hold another hearing on the Restaurant's liquor license.

Councilor Drexel moved and Councilor Harriman seconded the motion to set a Public Hearing on the Chavolo's Mexican Restaurant Hotel & Restaurant Liquor License for 7:00 P.M., Tuesday, January 10, 2012.

Roll call vote, yes: Seymour, Nesbitt, Drexel, Harriman, Houck. So carried.

Roll call vote, no: None.

Ordinance and Resolutions:

Ordinance No. 11, Series 2011; Re: Amending City Code Regarding Fees for Special Event Liquor Permits; 2nd Reading. Councilor Harriman introduced Ordinance No. 11, Series 2011, and it was read by title only by the Mayor.

Councilor Harriman moved and Councilor Nesbitt seconded the motion that Ordinance No. 11, Series 2011, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON AMENDING SECTION 8.40.10, LIQUOR LICENSE APPLICATION FEES, OF THE CITY OF GUNNISON MUNICIPAL CODE**, be introduced, read, passed, and adopted on second and final reading this 29th day of November, 2011.

Roll call vote, yes: Nesbitt, Drexel, Harriman, Houck, Seymour. So carried.

Roll call vote, no: None.

Ordinance No. 12, Series 2011; Re: Setting City Tax Levy, 1st Reading. Councilor Nesbitt introduced Ordinance No. 12, Series 2011, and it was read in its entirety by the Mayor.

Councilor Nesbitt moved and Councilor Harriman seconded the motion that Ordinance No. 12, Series 2011, **AN ORDINANCE SETTING A TAX LEVY FOR THE CITY OF GUNNISON, COLORADO**, be introduced, read, passed and order published on first reading, this 29th day of November, 2011, and that copies be made available to the public.

Roll call vote, yes: Drexel, Harriman, Houck, Seymour, Nesbitt. So carried.

Roll call vote, no: None.

Ordinance No. 13, Series 2011; Re: Adopting and Appropriating 2012 City Budget, 1st Reading. Councilor Nesbitt introduced Ordinance No. 13, Series 0211, and it was read by title along with Sections 1 and 2, by the Mayor.

Councilor Nesbitt moved and Councilor Harriman seconded the motion that Ordinance No. 13, Series 2011, **AN ORDINANCE ADOPTING AND APPROPRIATING AN ANNUAL BUDGET**, be introduced, read, passed and ordered published on first reading, this 29th day of November, 2011, and copies be made available to the public.

Roll call vote, yes: Harriman, Houck, Seymour, Nesbitt, Drexel. So carried.

Roll call vote, no: None.

Ordinance No. 14, Series 2011; Re: Adopting Additional Appropriation for 2011 City Budget, 1st Reading. Councilor Nesbitt introduced Ordinance No. 14, Series 2011, and it was ready by title along with Numbers 1 through 6, by Councilor Nesbitt.

Councilor Seymour moved and Councilor Nesbitt seconded the motion that Ordinance No. 14, Series 2011, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING AN ADDITIONAL APPROPRIATION FOR THE FISCAL YEAR ENDING DECEMBER 31, 2011**, be introduced, read, passed and ordered published on first reading this 29th day of November, 2011.

Roll call vote, yes: Houck, Seymour, Nesbitt, Drexel, Harriman. So carried.

Roll call vote, no: None.

City Attorney: Nothing to report.

City Manager: Ken Coleman. City Manager Coleman reported on the following: the Electric Crew has put up the garlands, wreath and the tree on South Main Street; the tree was donated to the City by a homeowner who wanted it removed and Council might consider future actions for the City Christmas tree as they become less available from homeowners; there was a problem with the pool boiler and that has been corrected; the Police Department has revised their work shifts and have added a fourth shift; now that the redistricting has been approved for the UGRWCD, does Council want the representatives of the City area to come and update Council; the answer was yes, and the representatives will be scheduled after the first of the year; the rink will be very busy this weekend with teams from Steamboat and Boulder here for the new league play; employee evaluations are mostly completed and the list of accomplishments are noteworthy; the annual Arbor Day was held last week and two trees were planted by High School students at the VanTuyl Ranch; work continues on the VanTuyl Ranch Trail back section and there is approximately 100 yards behind the corrals that is not complete; there will probably be a trail ribbon-cutting in the spring; and the City Internship Program with WSC is being finalized and implemented for next semester's classes. The internships will be an "add" option for Independent Study. Lastly, he will be out of the office all next week.

Acting City Manager: Finance Director Wendy Hanson. Reported on the following: she appreciates her staff and the work they have done on the web, sales tax, and daily operations; a Sales Tax Fact Sheet will be included in the yearly sales tax renewals for businesses; the City is doing good on revenues and expenses; sales tax is up slightly year-to-date through September; and she will be working with the Public Works Department to review landfill fees and refuse expenses. Mayor Houck stated the Finance Department is always reliable and he appreciates how they are working with the businesses in these hard economic times. Finance Director Hanson added that the City has withdrawn from the class-action suit against Jerry Rising so that we will not incur further costs. Mr. Rising was convicted and will be sentenced.

City Clerk: Gail Davidson. Nothing further to report.

WSC Liaison: Nicholas Edwards. Reported on the following: there will be basketball games this Friday and Saturday nights; the WSC name change is still being discussed and Professor Vandenbusche gave the SGA his opinion regarding the direction of the College; and WRAP – Western Responsible Action Prevention - group is looking at the possibility of getting a lounge on campus and holding events on campus.

Non-Scheduled Citizens: None.

City Council General Discussion, Meeting Reports, Items for Work Sessions:

Councilor Drexel: reported on the following: he attended the Region 10 meeting and a regional broadband project is being discussed; CDOT has \$20,000 available for future projects planning; and one potential project is a \$24 million rework of the Little Blue Canyon in 2016.

Mayor Pro Tem Harriman: reported she had no meetings so far this week.

Mayor Houck: reported he was invited to the opening day at CBMR where he met with the kids and had some photo opportunities; there is not a lot of snow yet on the mountain; he will be attending the Mayors'/Managers' meeting on Thursday with Ken; he attended the Arbor Day event last week; and he presented William Eager with a City Proclamation for his Eagle Scout Court of Honor last week.

Councilor Seymour: reported he has been gone and doesn't have anything to report.

Councilor Nesbitt: reported on the following: he attended the Water Roundtable meeting last week where representatives to the IBCC were appointed; Blue Mesa and Taylor Reservoirs are both down; and he asked about the Occupy Movement in town and the vandalisms that took place. WSC Liaison Edwards stated that there was an information forum held last week to discuss the Occupy Movement issues but this was not a specific Occupy Event. Police chief Robinson stated that there was some vandalism to approximately 20 vehicles in the south and west sections of town and they appear to be random in nature.

Executive Session: Pursuant to C.R.S. §24-6-402(4)(a): For the purpose to discuss the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; except that no executive session shall be held for the purpose of concealing the fact that a member of the City Council has a personal interest in such purchase, acquisition, lease, transfer or sale; and Pursuant to C.R.S. §24-6-402 (4)(f)(I): To discuss personnel matters except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting. The Executive Session is not open to the public and action may not be taken in the Session.

Councilor Harriman moved and Councilor seconded the motion to go into Executive Session Pursuant to C.R.S. §24-6-402(4)(a): For the purpose to discuss the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; except that no executive session shall be held for the purpose of concealing the fact that a member of the City Council has a personal interest in such purchase, acquisition, lease, transfer or sale; and Pursuant to C.R.S. §24-6-402 (4)(f)(I): To discuss personnel matters except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting. The Executive Session is not open to the public and action may not be taken in the Session.

Roll call vote, yes: Seymour, Nesbitt, Drexel, Harriman, Houck. So carried.

Roll call vote, no: None.

Council went into Executive Session at 9:06 P.M. Council returned to open meeting Regular Session at 9:35 P.M. Mayor Houck stated the time is now 9:35 P.M., and the Executive Session has been concluded. The participants in the Executive Session were: Mayor Jonathan Houck, Mayor Pro Tem Ellen Harriman, Councilor Bob Drexel, Councilor Ed Seymour, Councilor Bill Nesbitt, City Attorney Rod Landwehr, City Manager Ken Coleman, City Clerk Gail Davidson, and Police Chief Keith Robinson for a portion of the Session. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. There was no response.

City Manager Coleman asked Council if they want to conduct his annual performance evaluation on open session or executive session. Consensus was to hold it in open session with the option to go into Executive Session if they choose. The City Manager will provide some bullet points and an update to Council in their packets for the next Regular Session meeting.

Adjournment: Mayor Houck called for any further comment and hearing none, the Regular Session meeting was adjourned at 9:46 P.M.

Mayor

City Clerk